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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: *[Signature]*

DEPUTY

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5 APRIL AMADOR

6 **UNITED STATES DISTRICT COURT**
7 **SOUTHERN DISTRICT OF CALIFORNIA**

8 APRIL AMADOR,

9 Plaintiff,

10 v.

11 GC SERVICES, LP,

12 Defendant.

) Case No.: '10CV 0748 W

) **COMPLAINT AND DEMAND FOR**
) **JURY TRIAL**

) **(Unlawful Debt Collection Practices)**

RBB

13 **VERIFIED COMPLAINT**

14 Plaintiff, APRIL AMADOR (f/k/a April Harless) (Plaintiff), through her attorneys,
15 KROHN & MOSS, LTD., alleges the following against Defendant, GC SERVICES, LP,
16 (Defendant):

17 **INTRODUCTION**

- 18
- 19 1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15
20 U.S.C. 1692 et seq. (FDCPA).
 - 21 2. Count II of the Plaintiff's Complaint is based on Rosenthal Fair Debt Collection
22 Practices Act, Cal. Civ. Code §1788 et seq. (RFDCPA).

23 **JURISDICTION AND VENUE**

- 24 3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such
25 actions may be brought and heard before "any appropriate United States district court

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1 without regard to the amount in controversy,” and 28 *U.S.C. 1367* grants this court
2 supplemental jurisdiction over the state claims contained within.

3 4. Defendant conducts business in the state of California, and therefore, personal
4 jurisdiction is established.

5 5. Venue is proper pursuant to 28 *U.S.C. 1391(b)(2)*.

6 6. Declaratory relief is available pursuant to 28 *U.S.C. 2201 and 2202*.

7 **PARTIES**

8 7. Plaintiff is a natural person residing in San Diego County, California.

9 8. Plaintiff is a consumer as that term is defined by 15 *U.S.C. 1692a(3)*, and according to
10 Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 *U.S.C. 1692a(5)*
11 and *Cal. Civ. Code § 1788.2(h)*.

12 9. Defendant is a debt collector as that term is defined by 15 *U.S.C. 1692a(6)* and *Cal. Civ.*
13 *Code §1788.2(c)*, and sought to collect a consumer debt from Plaintiff.

14 10. Defendant is a collection agency with a business office in Phoenix, Arizona.

15 11. Defendant acted through its agents, employees, officers, members, directors, heirs,
16 successors, assigns, principals, trustees, sureties, subrogees, representatives, and
17 insurers.

18 **FACTUAL ALLEGATIONS**

19 12. Defendant places collection calls to Plaintiff on at least a daily basis seeking and
20 demanding payment for an alleged debt.

21 13. Defendant calls from 619-739-4397 regarding file #1477759.

22 14. Defendant called Plaintiff's old place of employment and disclosed Plaintiff's debt to a
23 third party in a voicemail message (see the transcribed voicemail message attached as
24 Exhibit A).

25 15. Defendant leaves voicemail messages for Plaintiff that fail to state the communication is

1 from a debt collector (See Exhibit A).

2 **COUNT I**
3 **DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

4 16. Defendant violated the FDCPA based on the following:

- 5 a. Defendant violated §1692b(2) of the FDCPA by communicating with Plaintiff's
6 former employer and stating that Plaintiff owes a debt.
- 7 b. Defendant violated §1692c(b) of the FDCPA by communicating with Plaintiff's
8 former employer in connection with the collection of Plaintiff's debt.
- 9 c. Defendant violated §1692d of the FDCPA by engaging in conduct that the
10 natural consequences of which was to harass, oppress, and abuse Plaintiff in
11 connection with the collection of an alleged debt.
- 12 d. Defendant violated §1692d(5) of the FDCPA by causing a telephone to ring
13 repeatedly and continuously with the intent to annoy, abuse, and harass Plaintiff.
- 14 e. Defendant violated §1692e of the FDCPA by using false, deceptive, and
15 misleading representations in connection with the collection of any debt.
- 16 f. Defendant violated §1692e(11) of the FDCPA by failing to disclose in
17 subsequent communications that the communication was from a debt collector.

18 WHEREFORE, Plaintiff, APRIL AMADOR, respectfully requests judgment be entered
19 against Defendant, GC SERVICES, LP, for the following:

20 17. Declaratory judgment that Defendant's conduct violated the Fair Debt Collection
21 Practices Act,

22 18. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection Practices Act, 15
23 U.S.C. 1692k,

24 19. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act,
25 15 U.S.C. 1692k

20. Any other relief that this Honorable Court deems appropriate.

COUNT II
DEFENDANT VIOLATED THE ROSENTHAL FAIR DEBT COLLECTION
PRACTICES ACT

21. Plaintiff repeats and realleges all of the allegations in Count I of Plaintiff's Complaint as the allegations in Count II of Plaintiff's Complaint.

22. Defendant violated the RFDCPA based on the following:

- a. Defendant violated §1788.11(d) of the RFDCPA by causing Plaintiff's telephone to ring repeatedly and continuously so as to annoy Plaintiff.
- b. Defendant violated §1788.11(e) of the RFDCPA by placing collection calls to Plaintiff with such frequency that was unreasonable and constituted harassment.
- c. Defendant violated the §1788.12(b) of the RFDCPA by communicating information regarding a consumer debt to Plaintiff's former employer.
- d. Defendant violated the §1788.17 of the RFDCPA by continuously failing to comply with the statutory regulations contained within the FDCPA, 15 U.S.C. § 1692 et seq.

WHEREFORE, Plaintiff, APRIL AMADOR, respectfully requests judgment be entered against Defendant, GC SERVICES, LP, for the following:

23. Declaratory judgment that Defendant's conduct violated the Rosenthal Fair Debt Collection Practices Act,

24. Statutory damages of \$1000.00 pursuant to the Rosenthal Fair Debt Collection Practices Act, *Cal. Civ. Code §1788.30(b)*,

25. Costs and reasonable attorneys' fees pursuant to the Rosenthal Fair Debt Collection Practices Act, *Cal. Civ Code § 1788.30(c)*, and

26. Any other relief that this Honorable Court deems appropriate.

///

///

DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, APRIL AMADOR, demands a jury trial in this case.

RESPECTFULLY SUBMITTED,

DATED: April 8, 2010

KROHN & MOSS, LTD.

By: 

Michael S. Agruss
Attorney for Plaintiff

VERIFICATION OF COMPLAINT AND CERTIFICATION

STATE OF CALIFORNIA

Plaintiff, APRIL AMADOR, states as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, APRIL AMADOR, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

DATE:

3/25/10



APRIL AMADOR

EXHIBIT A

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AMADOR V. GC SERVICES

Hi, this is a message for April Harless. Ms. Harless, this is Anthony calling today from GC Services only in regard to an unresolved personal business matter between you and my client. Ms. Harless, I need you take the time to call me when you get the message. It is important. You can contact my office at 1-800-846-6406. Again that is 1-800-846-6406, extension 5085. Please refer to file 1477759 when you call me. Thank you.

Hi, this is a message for April Amador. Ms. Amador, my name is Anthony. I am calling today from GC Ltd. Partnership. Again, I have already explained to your spouse why I am calling. Ms. Amador, I need you now to take the time to return my call. It is important. We need to get this decision taken care of before it escalates any further than it has. Ms. Amador, you can contact my office at 1-800-846-6406. Again that is 1-800-846-6406, extension 5085. Please contact me as soon as possible. When doing so please refer to file 1477759. Thank you.

Hi, this is a message for April Harless otherwise known as April Amador. This is Anthony calling today from GC Services in Arizona. Please take the time to return my call when you get this message, 1-800-846-6406, that is 1-800-846-6406, extension 5085. Please refer to your file 1477759. Thank you very much.

Hi, this is a message for April Harless. April Harless, this is Anthony calling today from GC Services. Please take the time to return my call. I need to speak with your spouse Mark. I am sure you know why we are calling. You have options Ms. Harless and we would like to try to work with you. you can contact my office at 1-800-846-6406, that is 1-800-846-6406, extension 5085. Please refer to file 1477759 when calling. Good day.

Hi, April Harless, this is Anthony calling from GC Services in Arizona. Please take the time to return my call when you get this message. It is important. You can contact me at 1-800-846-6406, extension 5085. We are still trying to resolve this outstanding personal business matter of yours. It is important that you do not ignore this situation. Thank you.

Hi, this is a message for April Harless. Ms. Harless, this is Anthony calling from GC Services. Please take the time Ms. Harless to call my office when you get the message. It is important. You can contact me at 1-800-846-6406, that is 1-800-846-6406, extension 5085. Please refer to file 1477759 when calling.

Hi, this is a message for April Harless. Ms. Harless, this is Anthony calling today from GC Ltd. Partnership in Arizona. Please take the time to return my call when you get this message. It is important. I have spoken with your husband who basically told me this is not his problem and that you need to deal with it. I have left several messages for you. I don't know how to advise my client at this point madam. We would like to resolve this with you before it escalates any further. You can contact me at 1-800-846-6406, that is 1-800-846-6406, extension 5085. When calling, please refer to your file 1477759.

Hi, this is a message for April Amador. Ms. Amador, my name is Anthony. I am calling today from GC Services in Phoenix, Arizona. I am calling in regard to an unresolved business matter

between you and my client. I just spoke with your spouse Mark. If you could, please call me right away. It is important that I speak with you, phone number 1-800-846-6406, that is 1-800-846-6406, extension 5085. Please refer to file 1477759 when calling. It is important, so we are not selling anything. Thank you very much.

Hi, this is a message for Ms. April Amador. Ms. Amador, this is Anthony calling today from GC Ltd. Partnership. Please take the time to return my call when you get this message. It is important. You can contact my office at 1-800-846-6406, that is again 1-800-846-6406, extension 5085. Please refer to file 1477759 when calling.

Hi, this is a message for April Amador. This is Anthony calling from GC Services a debt collector in the state of Arizona. Ms. Amador, please take the time to return my call 1-800-846-6406, that number again is 1-800-846-6406, extension 5085. When calling please refer to file 1477759.

Hi, this is a message for April Harless. Ms. Harless, this is Anthony calling today from GC Services a debt collector in the State of Arizona. Ms. Harless, I spoke with Mark your spouse. We explained the situation to him. I am sure you know why we are calling. Give us the opportunity to give you some options here Ms. Harless. There is no reason to let this issue escalate any further than it has. You can contact me at 1-800-846-6406, that is 1-800-846-6406, extension 5085. I have to believe this is not something you truly want to simply ignore. Again, give us a call. We have options. We would like to work with you. Thank you for your time.

Defendant's message for Plaintiff's supervisor:

Hi April, this is John. Sounds like this message for meant for you and it came somehow to me. Here it is, it's all yours:

Hi, this is actually a message for April Amador. My name is Anthony. I was told you are her supervisor. I am trying to get in contact with her in regard to a personal business matter. If at all possible sir, could you ask Ms. April Amador to contact Anthony at GC Services at 1-800-846-6406, that is 1-800-846-6406, extension 5085. Any help you could provide would be greatly appreciated. Thank you sir.

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

APRIL AMADOR

(b) County of Residence of First Listed Plaintiff San Diego (CA)
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Krohn & Moss, Ltd., Michael Agruss (323) 988-2400
10474 Santa Monica Blvd., Suite 401 Los Angeles, CA 90025

DEFENDANTS

GC SERVICES
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

County of Residence of First Listed Defendant Houston (TX)

BY: ON U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

'10CV 0748 W RBB

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER/PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 USC 1692 et seq.

Brief description of cause:
Unlawful and abusive debt collection practices

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

04/08/2010

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # 12094 AMOUNT \$350 APPLYING IFP 100 4/9/10 JUDGE MAG. JUDGE

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INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553

Brief Description: Unauthorized reception of cable service

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

Court Name: USDC California Southern
Division: 3
Receipt Number: CAS012094
Cashier ID: kdelabar
Transaction Date: 04/09/2010
Payer Name: KROHN AND MOSS

CIVIL FILING FEE
For: AMADOR V. GC
Case/Party: D-CAS-3-10-CV-000748-001
Amount: \$350.00

CHECK
Check/Money Order Num: 21970
Amt Tendered: \$350.00

Total Due: \$350.00
Total Tendered: \$350.00
Change Amt: \$0.00

There will be a fee of \$45.00
charged for any returned check.